



COMMONS REGISTRATION ACT 1965

Reference No 15/D/18

In the Matter of The Castle Greens,
Longtown, South Hereford D

DECISION

This dispute relates to the registration at Entry No 1 in the Ownership Section of Register Unit No VG. 30 in the Register of Town or Village Greens maintained by the former Herefordshire County Council and is occasioned by Objection No 239 made by Longtown Parish Council and noted in the Register on 11 October 1971.

I held a hearing for the purpose of inquiring into the dispute at Hereford on 12 May 1977. The hearing was attended by Mr W J Howells-Davies of Messrs T A Matthews & Co on behalf of Mr J I Rogers who by Entry No 1 in the Ownership Section claims to own the land in question.

The Parish Council withdrew its objection. If, as I believe to be the case, I had jurisdiction to enquire into the provisional registration notwithstanding the withdrawal of the objection, it seemed to me that it was desirable so to do.

Mr Howells-Davies claimed that the land in question came into the ownership of Mr Rogers as parcel of the Manor of Ewyas Harold when the Lordship of that Manor was conveyed to Mr Rogers by a conveyance dated 5 April 1966. The Lord of the Manor was in 1925 the Marquess of Abergavenny who by a conveyance dated 31 December 1925 conveyed the Lordship to one R G Virgo from whom Mr Rogers derives his title. The difficulty in this case arises by reason of the fact that the conveyance of 1925 defines the Manor or Lordship of Ewyas Harold as being situate in the parish of Ewyas Harold and the land in question was and still is situate in the parish of Longtown. The Marquess of Abergavenny was also the Lord of the Manor of Longtown.

Mr Rogers gave evidence that lands in Abbeydore, Dulas St Margarets and Longtown were all parcel of the Manor of Ewyas Harold and that he had come to that conclusion because the Manor of Ewyas Harold was shown to comprise these lands on a terrier which he inspected in the archives of the County of Hereford, and this inspection confirmed the belief generally held in the locality. I was told that the present Marquess of Abergavenny no longer has any estates in Hereford and that no records are available from that source. In the absence of any objection I am prepared to accept this evidence and to confirm the Entry in the Ownership Section.

I am required by regulation 30(1) of the Commons Commissioners Regulations 1971 to explain that a person aggrieved by this decision as being erroneous in point of law may, within 6 weeks from the date on which notice of the decision is sent to him, require me to state a case for the decision of the High Court.

Dated this 20th day of June 1977

E. A. Little

Commons Commissioner